



**Official Minutes**

**MEETING OF THE MINTURN TOWN COUNCIL**

Minturn Town Center, 302 Pine Street  
Minturn, CO 81645 • (970) 827-5645

**Wednesday February 17, 2010**

**Work Session – CANCELLED**  
**Regular Session – 7:00 PM**

**MAYOR – Gordon “Hawkeye” Flaherty**  
**MAYOR PRO TEM – George Brodin**

**Town Administrator – Jim White**  
**TOWN CLERK/TREAS – Jay Brunvand**

**COUNCIL MEMBERS:**

Shelley Bellm  
Lorraine Haslee  
Jerry Bumgarner  
Aggie Martinez  
Matt Scherr

These minutes are formally submitted to the Town of Minturn Town Council for approval as the official written record of the proceedings at the identified Council Meeting. Additionally, all Council meetings are tape-recorded and are available to the public for listening at the Town Center Offices from 8:30am – 4:30pm, Monday through Friday, by contacting the Town Clerk at 970/824-5645 302 Pine St. Minturn, CO 81645.

**Regular Session – 5:30 PM**

**1. Call to Order**

- a. Roll Call
- b. Pledge of Allegiance

Mayor Hawkeye Flaherty called the meeting to order at 5:35p.m.

Those present included Mayor Hawkeye Flaherty, Mayor Pro Tem George Brodin, Lorraine Haslee, Jerry Bumgarner, Matt Scherr and Aggie Martinez. *(Note: Shelley Bellm was excused absent)*

Staff present was Town Administrator Jim White, Town Treasurer/Clerk Town Jay Brunvand, Town Planner Chris Cerimele, Police Chief Lorenzo Martinez and Attorney Allen Christensen

## EXECUTIVE SESSION

**2. Executive Session: Pursuant to CRS Section 24-6-402(4)(b) to consult with Town Attorneys for the purpose of receiving legal advice and to provide instructions to negotiators concerning appraisal of USFS land and an update on Water Court information**

Motion by George B., second by Lorraine H. to convene in Executive Session pursuant to C.R.S. §24-6-402(4)(b) to consult with the Town Attorney for the purpose of receiving legal advice and to provide instructions to negotiators concerning appraisal of USFS land and an update on Water Court litigation and information; all voted in favor. *(Note: Shelley Bellm was excused absent)*

The Council emerged from Executive Session at 7:00pm. Hawkeye outlined what had transpired thus far in the meeting regarding the Exec Session and stated instructions to Staff and the Attorneys was to continue with negotiations as directed

## STANDING ITEMS

**4. Approval of Agenda**

- a. Items to be Pulled or Added

Motion by Jerry B., second by George B., to approve the agenda as presented; all voted in favor. *(Note: Shelley Bellm was excused absent)*

**5. Approval of Minutes and Action Report (5min)**

- January 20, 2010 Regular Council Meeting
- February 3, 2010 Regular Council Meeting
- Action Item Report
- Planning Commission Action Report

Hawkeye noted the Minutes from the Regular Council Meeting of January 20, 2009 had been tabled from the last meeting to allow Staff to address changes requested by Shelley B. Jim W stated all concerns had been addressed and recommended approval.

Motion by Jerry B., second by George B., to approve the minutes of the January 20, 2010 regular Council Meeting as presented; all voted in favor. *(Note: Shelley Bellm was excused absent)*

- Correction pg 11 4<sup>th</sup> line from bottom the email to the council should be very possible not clear.

Motion by George B., second by Aggie M. to approve the minutes of the February 3, 2010 regular Council Meeting as presented; all voted in favor. (*Note: Shelley Bellm was excused absent*)

Action Item Report discussion:

Lorraine asked and received update on the bond refinancing status; this is being worked on at Staff level and will be coming forward in March 2010.

Matt S. asked about the land deed for the water plant; Jim W. stated the Eagle County School District would like to discuss as a full Board and then come back to our Town Council. It is possible no committee meetings will be needed; Jim W. will follow up on this and continue to keep the Council posted.

Planning Commission Action report discussion:

Positive comments were received from George B. regarding the information being presented via email and thanked Staff.

**6. Public comments on items, which are NOT on the agenda (5 minute time limit per person).**

**7. Special Presentations/Citizen Recognition**

**8. Town Administrator's Report**

Jim W. noted the Town has changed from Travelers Insurance to CIRSA a resolution will be presented to Council at the March 3, 2010 Council Meeting for appointment.

The Eagle County School District will be holding a series of meetings which will involve the Town in the near future, Jim W. will ensure the Town is informed and represented at each of these meetings as they will affect the Town.

Jim W. noted the Town received a congratulation letter from our Workers Compensation carrier, Pinnacle Assurance, for no work related claims over the past year.

**9. Town Council Comments**

The Council expressed a thank you to Minturn Police Clerk Lisa Osborne for supplying Pretzel Bites during the meeting.

Lorraine read a statement directed to the Eagle County School District regarding the need to maintain a community school and further to carefully consider the future of Minturn Middle and the importance and usefulness of the Maloit park area at the base of the Holy Cross Forest.

Hawkeye stated the Town of Minturn will be holding its regularly scheduled Municipal Election on April 6, 2010. There are three Council positions open which are four year terms and the Mayor's position which is a two year term. The election is Tuesday April 6, 2010.

## GENERAL IMPROVEMENT DISTRICT

### 11. Convene as GID Board

Hawkeye convened the Minturn General Improvement District Board meeting at 7:15pm

Those present included Hawkeye Flaherty, George Brodin, Lorraine Haslee, Shelley Bellm, Jerry Bumgarner, Matt Scherr and Aggie Martinez, and Ex-Officio Member Sarah Baker. *(Note: Shelley Bellm was excused absent)*

### 12. Approval of Agenda

Motion by Lorraine H., second by Jerry B., to approve the agenda as presented; all voted in favor.

### 13. Review and Approval of November 4, 2009 GID Board Meeting minutes.

Motion by Jerry B., second by Lorraine H., to approve the General Improvement District Board meeting minutes of November 4, 2009 as presented; all voted in favor. *(Note: Shelley Bellm was excused absent)*

### 14. Financial Matters

- Discuss and consider approval of the 2009 Application for Exemption from Audit.

Hawkeye introduced Ms. Sarah Baker, Ex Officio. Allen C. stated we have not received the audit application from Clifton Gunderson and requested the Exemption be tabled to the March 3 meeting.

Motion by Lorraine H., second by Jerry B., to continue consideration of the Application for Exemption from Audit to the March 3, 2010 at 7pm; all in favor. *(Note: Shelley Bellm was excused absent)*

- Discuss the District's written notification to Ginn Battle North, LLC, Ginn Battle South, LLC and Ginn-LA Battle One LLLP of any remaining amounts on deposit with the District under the 2009 Operation Funding Agreement

**15. Other Business**

- Next GID Board Meeting set for November 3, 2010 7:00pm at the Minturn Town Center, 302 Pine Street, Minturn, CO 81645

Motion by George B., second by Aggie M., to set November 3, 2010 7pm at the Minturn Town Center 302 Pine St as the next meeting as presented; all voted in favor. (*Note: Shelley Bellm was excused absent*)

**16. Adjourn as GID Board; convene as Minturn Town Council**

The Board adjourned as the Minturn General Improvement District Board and convened as the Minturn Town Council.

**FUTURE AGENDA ITEMS**

**17. Next Meeting**

- GID Audit Exemption Review – White – March 3, 2010
- Upcoming changes to Chapter 16 – Cerimele (45min)
- Update Exec Session for water update and follow up on USFS appraisals

**18. Future meetings**

- Use tax discussion – Brunvand/White (15 min) May 5, 2010
- Sidewalk discussion – Brunvand/White

**19. Set Future Meeting Dates**

a) Council Meetings

- March 3, 2010
- March 17, 2010
- April 7, 2010

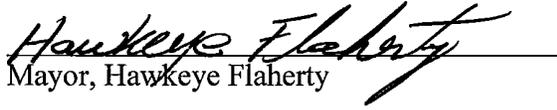
b) Planning & Zoning Commission Meetings

- February 10, 2010
- February 24, 2010
- March 10, 2010

c) Other

**20. Adjournment**

Motion by Jerry B., second by Aggie M., to adjourn the meeting at 7:20pm.

  
\_\_\_\_\_  
Mayor, Hawkeye Flaherty

ATTEST:

  
\_\_\_\_\_  
Town Clerk, Jay Brunvand

